

AMENDED IN SENATE AUGUST 15, 2005

AMENDED IN SENATE JULY 12, 2005

AMENDED IN SENATE JUNE 27, 2005

AMENDED IN ASSEMBLY APRIL 26, 2005

AMENDED IN ASSEMBLY APRIL 13, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL**No. 1723**

Introduced by Assembly Member La Malfa

February 22, 2005

An act to add Section 25302.5 to the Public Resources Code, relating to energy resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 1723, as amended, La Malfa. Integrated energy policy report: load loss or addition.

Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission) to prepare an integrated energy policy report every 2 years. Existing law requires the report to contain an overview of major energy trends and issues facing the state, including, but not limited to, supply, demand, pricing, reliability, efficiency, ~~and~~ impacts on public health and safety, the economy, resources, and the environment.

Under existing law, the Public Utilities Commission (CPUC) has regulatory authority over public utilities, including electrical corporations. The existing Public Utilities Act requires the CPUC to review and adopt a procurement plan for each electrical corporation in

accordance with specified elements, incentive mechanisms, and objectives.

This bill would require each entity that serves or plans to serve electricity to retail customers to provide the Energy Commission with its forecast, as part of each integrated energy policy report, of (1) the amount of its forecasted load that may be lost or added by a community choice aggregator, an existing local publicly owned electric utility, or a newly formed local publicly owned electric utility, and (2) the load that will be served by an electric service provider. The bill would require the Energy Commission to perform an assessment in the service territory of each electrical corporation of the loss or addition of load specified in (1) and submit the results of that assessment to the CPUC. The bill would authorize the ~~CPUC~~ *Energy Commission* to exempt from these forecasting requirements a local publicly owned electric utility that is not planning to acquire additional load ~~previously served by an electrical corporation beyond its existing exclusive service territory.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 25302.5 is added to the Public
- 2 Resources Code, to read:
- 3 25302.5. (a) As part of each integrated energy policy report
- 4 required pursuant to Section 25302, each entity that serves or
- 5 plans to serve electricity to retail customers, including, but not
- 6 limited to, electrical corporations, nonutility electric service
- 7 providers, community choice aggregators, and local publicly
- 8 owned electric utilities, shall provide the commission with its
- 9 forecast of both of the following:
- 10 (1) The amount of its forecasted load that may be lost or added
- 11 by any of the following:
- 12 (A) A community choice aggregator.
- 13 (B) An existing local publicly owned electric utility.
- 14 (C) A newly formed local publicly owned electric utility.
- 15 (2) Load that will be served by an electric service provider.
- 16 (b) The commission shall perform an assessment in the service
- 17 territory of each electrical corporation of the loss or addition of

1 load described in this section and submit the results of the
2 assessment to the Public Utilities Commission.

3 (c) Notwithstanding subdivision (a), the commission may
4 exempt from the forecasting requirements in that subdivision a
5 local publicly owned electric utility that is not planning to
6 acquire additional load ~~previously served by an electrical~~
7 ~~corporation~~ *beyond its existing exclusive service territory* within
8 the forecast period provided by the commission pursuant to
9 Section 25303.

10 (d) For purposes of this section, the following terms have the
11 following meanings:

12 (1) “Community choice aggregator” means any “community
13 choice aggregator” as defined in Section 331.1 of the Public
14 Utilities Code and organized and operating pursuant to Section
15 366.2 of the Public Utilities Code.

16 (2) “Electrical corporation” means any “electrical corporation”
17 as defined in Section 218 of the Public Utilities Code.

18 (3) “Electric service provider” means any “electric service
19 provider” as defined in Section 218.3 of the Public Utilities
20 Code.

21 (4) “Local publicly owned electric utility” means any “local
22 publicly owned electric utility” as defined in Section 9604 of the
23 Public Utilities Code.